

ALLEGED SHIPMENT: On or about July 24 and 26, 1946, from the State of Wisconsin into the States of Colorado and North Dakota.

LABEL, IN PART: "Favorite Caramel Corn."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), (1 shipment) the article consisted in part of a filthy substance by reason of the presence of larvae, rodent hair fragments, cat-like hair fragments, and feather fragments; and, Section 402 (a) (4), (both shipments) the article had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: February 21, 1947. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$700.

12456. Adulteration of Zippies (popcorn confection). U. S. v. 560 Cartons
* * *. (F. D. C. No. 23171. Sample No. 66364-H.)

LIBEL FILED: June 4, 1947, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about March 20 and April 18, 1947, by the C & M Popcorn Co., from Lake View, Iowa.

PRODUCT: 560 cartons, each containing 24 bags, of Zippies at Philadelphia, Pa.

LABEL, IN PART: (Bags) "Zippies Net Wt. 3¼ Oz. or Over."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: July 16, 1947. Default decree of condemnation and destruction.

12457. Adulteration of Bottle O'Pop Wax Chews. U. S. v. 65 Boxes * * * (and 1 other seizure action). (F. D. C. Nos. 23096, 23467. Sample Nos. 76315-H, 85709-H.)

LIBELS FILED: July 3 and 8, 1947, Northern District of Mississippi and District of Columbia.

ALLEGED SHIPMENT: On or about May 2 and 15, 1947, by the G & B Candy Co., from Dallas, Tex.

PRODUCT: 65 boxes at Oxford, Miss., and 27 boxes at Washington, D. C., each box containing 80 pieces of Bottle O'Pop Wax Chews. Examination showed that the product was a small wax bottle containing a sweet artificially flavored and colored liquid. Analysis showed that the product contained quaternary ammonium compound.

NATURE OF CHARGE: Adulteration, Section 402 (a) (2), the article contained an added poisonous and deleterious substance, quaternary ammonium compound, which is unsafe within the meaning of the law, since it is a substance not required in the production of the article and could have been avoided by good manufacturing practice.

DISPOSITION: July 31 and August 4, 1947. The shipper and the consignee of the Mississippi lot having consented to the entry of a decree, and no claimant having appeared for the Washington lot, judgments of condemnation were entered and the product was ordered destroyed.

12458. Misbranding of confectionery (cake decorations). U. S. v. 17 Cartons
* * *. (F. D. C. No. 23654. Sample No. 91365-H.)

LIBEL FILED: September 2, 1947, Southern District of New York.

ALLEGED SHIPMENT: On or about February 24, 1947, by Sure Foods, Inc., Chicago, Ill.

PRODUCT: 17 cartons, each containing 24 1½-ounce bottles of confectionery at New York, N. Y. The product, used for cake decoration, consisted of small brown cylindrical pellets with a sweet, cocoa flavor. Analysis showed that it contained no chocolate.

LABEL, IN PART: "Shure Good Brand Chocolate Cakorettes Ingredients: Apricot kernels, sugar, sweet almonds, corn syrup, and cocoa."

NATURE OF CHARGE: Misbranding, Section 403 (a), the designation "Chocolate Cakorettes" was false and misleading since the article contained no chocolate.

DISPOSITION: September 17, 1947. Default decree of condemnation. The product was ordered delivered to a charitable institution.

12459. Adulteration of chocolate candy. U. S. v. George Kon (Kay Candy Manufacturers). Plea of guilty. Fine, \$20. (F. D. C. No. 23605. Sample Nos. 91225-H, 91226-H.)

INFORMATION FILED: November 5, 1947, District of New Jersey, against George Kon, trading as Kay Candy Manufacturers, at Newark, N. J.

ALLEGED SHIPMENT: On or about March 30 and April 1, 1947, from the State of New Jersey into the State of New York.

LABEL, IN PART: (Portion) "Barton's bonbonniere."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of rat or mouse hairs, and miscellaneous dirt such as metal fragments, wood splinters, paint fragments, and nondescript material; and, Section 402 (a) (4), it was prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 14, 1948. A plea of guilty having been entered by the defendant, the court imposed a fine of \$10 on each of the 2 counts.

12460. Adulteration of candy. U. S. v. 10 Boxes * * * (and 4 other seizure actions). (F. D. C. Nos. 23736, 23742, 23754, 23772, 23778. Sample Nos. 69442-H, 70036-H, 14201-K, 26406-K, 28401-K.)

LIBELS FILED: September 8, 15, 24, and 25, 1947, Eastern District of Michigan, Northern District of Indiana, District of Colorado, and Eastern District of Missouri.

ALLEGED SHIPMENT: On or about August 5, 13, 15, and 16, 1947, by the Lion Specialty Co., from Chicago, Ill.

PRODUCT: Candy. 10 boxes at Detroit, Mich.; 10 boxes at Michigan City, Ind.; 20 boxes at Fort Wayne, Ind.; 10 boxes at St. Louis, Mo.; and 830 pounds at Denver, Colo. Each box contained 23 pounds.

LABEL, IN PART: "Peanut Butter Kisses."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects, insect fragments, larvae, and rodent hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: October 10, 22, and 29, and December 9, 1947. Default decrees of condemnation and destruction.

12461. Adulteration of candy. U. S. v. 276 Cartons * * *. (F. D. C. No. 23811. Sample No. 26424-K.)

LIBEL FILED: October 14, 1947, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about September 22, 1947, by Butler Brothers, from Chicago, Ill. This was a return shipment.

PRODUCT: 276 20-pound cartons of candy at St. Louis, Mo.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of beetles, larvae, and webbing.

DISPOSITION: November 6, 1947. Default decree of condemnation and destruction.

12462. Adulteration and misbranding of candy. U. S. v. 7 Cartons * * *. (F. D. C. No. 23693. Sample No. 572-H.)

LIBEL FILED: September 15, 1947, Southern District of Florida.

ALLEGED SHIPMENT: On or about July 30, 1947, by Frank Schute's Sons, from Philadelphia, Pa.

PRODUCT: 7 cartons, each containing 12 boxes, of candy at Miami, Fla.

LABEL, IN PART: "Schute's Rum Butter Toffee * * * Net Weight One Pound," "Social Whirls Assorted Flavors One Pound Net," or "Schute's Salt Water Taffy One Pound Net."